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## **MINUTES OF COUNCIL STUDY MEETING – MAY 13, 2008**

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, MAY 13, 2008, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### **THE FOLLOWING MEMBERS WERE PRESENT:**

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### **STAFF PRESENT:**

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
Jim Welch, Finance Director  
Russell Willardson, Public Works Director  
Richard Catten, City Attorney  
Joseph Moore, CED Director  
Buzz Nielsen, Police Chief  
John Evans, Fire Chief  
Celia Kenney, Acting Community Preservation Director  
John Janson, CED Department  
Brent Garlick, CED Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

#### **1. APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 22, 2008**

The City Council read and considered the Minutes of the Study Meeting held April 22, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held April 22, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

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Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### **2. APPROVAL OF MINUTES OF SPECIAL STUDY MEETING HELD APRIL 29, 2008**

The City Council read and considered the Minutes of the Special Study Meeting held April 29, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Special Study Meeting held April 29, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

### **3. TRANSIT UPDATE**

City Manager, Wayne Pyle, directed John Janson, CED Department, to introduce representatives of the Utah Transit Authority (UTA), Mike Allegra, Jim Webb, and Hal Johnson, Lawrence Simpson and Necia Christensen (board member). Mr. Janson also introduced Kevin McFall, and Ryan Snow, representatives of Stacey/Whitbeck which was the contractor for UTA. The City Manager stated an update regarding transit would be given and a new bus parked in front of City Hall would also be viewed by the Council.

Mike Allegra, Assistant General Manager, UTA, discussed information and provided updated information regarding the new Frontrunner commuter rail service and a Trax extension added for the commuter rail service. Mr. Allegra stated these were in place so they could now focus on the next five projects, one of which would be the West Valley

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City line. He also discussed new busses to be ordered, including the timeline for delivery. He indicated some active construction would be seen in the City this year. He stated there were right-of-way issues and he would keep City staff informed as they continued to negotiate with residents.

Jim Webb, Project Manager, UTA, distributed written information to the City Council. He presented information regarding the West Valley Line summarized as follows:

- Project overview
- 5.1 miles of double track
- Four proposed stations
- 15 minute frequency
- Projected ridership of 10,000 in 2025

Representatives of the contractor, Stacey/Whitbeck, Kevin McFall, Project Manager, and Ryan Snow, Construction Manager, discussed information summarized as follows:

- Experience on other LRT line sections in Utah and other places
- Location of starting places and utility work
- Approximate timeline

Utilizing PowerPoint, Hal Johnson of UTA, discussed updated information regarding the West Valley City Intermodal Center, summarized as follows:

- Site Plan
- Elements to be put out to bid soon
- Park and ride lot completion
- Hub status
- Funding issues
- 3500 South BRT status
- Map of proposed BRT route and service plan
- Significant service upgrade
- New BRT bus and branding
- BRT station canopy

During the above presentation of information, questions from members of the City Council were answered by representatives of the Utah Transit Authority.

In response to questions from members of the City Council, John Janson, CED Department, discussed public art proposed for the stations. Some members of the City Council expressed desire to view proposals and other members expressed desire not to be

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involved in that process. Some members of the Council indicated desire to be involved in naming the stations as had been done for Trax stations in Salt Lake City.

Councilmember Vincent suggested UTA have a presence at the WestFest celebration scheduled the end of June 2008, and display the new bus at that time.

Hal Johnson, UTA, discussed background information regarding the new bus to be used for BRT and invited the Council to go outside of City Hall to view that bus.

The City Council and members of City staff left the Multi-Purpose Room at 5:03 P.M. and went outside to view the bus that was parked in front of City Hall. The City Council and City staff returned to the Multi-Purpose Room at 5:19 P.M.

4. **KIM COLEMAN, DIRECTOR – MONTICELLO ACADEMY CHARTER SCHOOL UPDATE**

City Manager, Wayne Pyle, stated Kim Coleman, Director of the Monticello Academy Charter School, had been scheduled to provide an update to the City Council. Mr. Pyle indicated the item would be rescheduled, as Ms. Coleman was not able to be in attendance at the meeting.

5. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED MAY 13, 2008**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M. He discussed the new items and other items, as follows:

**Item No. 6. B. – PRESENTATION OF EAC QUARTERLY DIVISION AWARD TO UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, stated Councilmember Winder would read a narrative and the EAC Quarterly Division Award would be presented to the Utah Cultural Celebration Center staff at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

**Item No. 6. C. – PROCLAMATION DECLARING MAY 11-17, 2008, AS NATIONAL POLICE WEEK AND MAY 15, 2008, AS PEACE OFFICERS' MEMORIAL DAY IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Mayor Nordfelt would read a Proclamation declaring May 11-17, 2008, as National Police Week and May 15, 2008, as Peace Officers' Memorial Day in West Valley City, at the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

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### **Item 8. C. – RESOLUTION NO. 08-131, APPROVE AMENDMENT TO DEVELOPMENT AGREEMENT WITH TIM SOFFE FOR PROPERTY LOCATED AT APPROXIMATELY 3000 SOUTH DECKER LAKE DRIVE (APPLICATION NO. PUD-1-2007 – THE EDGE AT DECKER LAKE)**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-131 which would approve an Amendment to the Development Agreement with Tim Soffe for property located at approximately 3000 South Decker Lake Drive (Application No. PUD-1-2007 – The Edge at Decker Lake).

The City Manager distributed and discussed a new draft of Exhibit B which had been suggested by Tim Soffe. He stated that at the Council's Study Meeting the previous week, the City Council indicated desire to consider Mr. Soffe's suggestion.

Upon discussion, CED Director, Joseph Moore, answered questions regarding crime and other problems for apartment complexes. Mr. Moore discussed statistics from studies completed in the past. Mayor Nordfelt stated, generally, crime statistics were lower for owned units rather than rentals, but those statistics could be skewed depending on management. City Manager, Wayne Pyle, pointed out some rental units had no problems, however, others had many problems. Councilmember Winder stressed the need to review statistics in order to make educated decisions as more apartment proposals were directed at the City Center area.

City Manager, Wayne Pyle, discussed the success seen by the City with the Good Landlord Program and stated better and/or emphasized management had resulted in a positive effect.

Councilmember Burt discussed the original proposal by Soffe and the promise for good, high-end condominiums and, in her opinion, this one was not quality.

Councilmember Vincent stated he read the Planning Commission minutes and there had been concern the apartments would not be large enough for families to live there. He stated apartment complexes became transient because they were so small. He indicated the City needed to provide places for families to rent, not just for singles and newlyweds. Councilmember Coleman stated there were plenty of rental opportunities in single-family homes in the City. He also stated TOD in this area was complementary to that type of housing. Mayor Nordfelt indicated if the Council desired a TOD and mixed use area, then Tim Soffe's investment would be advantageous on this difficult parcel of property. He expressed the need for a residential component in the subject area.

Councilmember Winder inquired if a certain percentage of the units could be required to provide three or four bedrooms.

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Councilmember Coleman stated the developer's money would be at stake and the Council would be essentially saying they understood the market better; which might be going too far.

City Manager, Wayne Pyle, advised the City Council need only consider the modification to the development agreement or deny the change which would require Mr. Soffe to go through the process again. He advised, in that case, the proposal could be for something of lesser quality based on the zone which might not be required to come before the City Council.

Councilmember Rushton discussed a recent news article regarding the market being flat for condominiums.

Upon inquiry by City Manager, Wayne Pyle, there were no further questions regarding items on the Agenda for the Regular Council Meeting scheduled May 13, 2008, at 6:30 P.M.

**6. AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MAY 20, 2008:**

**A. EMPLOYEE OF THE MONTH AWARD, MAY 2008 – MICHAEL LYNES, POLICE DEPARTMENT**

City Manager, Wayne Pyle, stated Councilmember Brooks would read the nomination of Michael Lynes, Police Department, to be awarded the Employee of the Month Award for May 2008, at the Regular Council Meeting scheduled May 20, 2008, at 6:30 P.M.

**7. ORDINANCE NO. 08-11, APPLICATION NO. Z-17-2007, FILED BY LIGHTSOURCE DEVELOPMENT, LLC, REQUESTING TO AMEND THE ZONING MAP FROM ZONE 'A' (AGRICULTURE) TO ZONE 'C-2' (GENERAL COMMERCIAL) FOR PROPERTY LOCATED AT 2978 SOUTH REDWOOD ROAD (PUBLIC HEARING HELD FEBRUARY 12, 2008, AND ACTION CONTINUED AT APPLICANT'S REQUEST)**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 08-11 and Application No. Z-17-2007, filed by Lightsource Development, LLC, requesting to amend the Zoning Map from zone 'A' (Agriculture) to zone 'C-2' (General Commercial) for property located at 2978 South Redwood Road.

Mr. Pyle stated the subject application included a zone change for a 5.14 acre parcel from 'A' to 'C-3' (Transitional Commercial). He reported the property had been classified as light manufacturing, general commercial, or office in the General Plan.

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The City Manager indicated surrounding zones included 'C-3' to the north, 'M' (Manufacturing) to the west, 'A' to the south, and 'R-1-8' and 'R-1-6' to the east. Surrounding land uses included a light industrial development to the north, the Lake Pointe office park to the west, power lines to the south, and single-family homes to the east on the other side of Redwood Road.

Mr. Pyle stated attached to the written information provided to the Council, a concept plan from the applicant had been provided. He indicated if the re-zone was approved, the applicant planned to develop the property to include a psychiatric hospital on the west portion of the property and two pad sites along Redwood Road. He explained, at this point, no users/tenants had been identified for the pad sites.

The City Manager stated also attached to the written information were two documents from the applicant: the first was entitled "Ascent Salt Lake City," a three page description of the facility; the second entitled "Feasibility Study for License of a New Facility," and was a much longer and more detailed description of the facility. He advised "SLCBH" stood for "Salt Lake City Behavioral Hospital." Mr. Pyle indicated according to the applicant, 95% of the patients coming to the facility would come voluntarily.

Mr. Pyle reported a hospital was a permitted use in the 'C-3' zone and a conditional use in the 'C-2' zone. He advised the Planning Commission had recommended approval of the 'C-2' zone instead of the 'C-3' zone so the application could be reviewed as a conditional use.

Mr. Pyle advised a public hearing had been held and closed on February 12, 2008, and action on the proposed ordinance had been continued to no date certain, at the applicant's request. He stated the applicant had requested the application and proposed ordinance be placed back on the agenda for consideration. He also stated a representative of the applicant, Lightsource, was in attendance at the meeting to answer any questions from members of the City Council.

Upon discussion, Councilmember Burt inquired if staff had proposed another location in a recently approved Economic Development Area (EDA). She expressed concerns regarding the facility being a detox center with 132 beds and the possible impact on the adjacent neighborhoods, businesses and Redwood Recreation Center.

Ryan Van Alfen, Lightsource, answered questions from members of the City Council and clarified services to be provided at the proposed facility.

City Manager, Wayne Pyle, further reviewed the Application, proposed Ordinance, and answered questions from members of the City Council.

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Councilmember Burt inquired regarding noticing of this particular application, Richard Catten, City Attorney, discussed noticing requirements and cautioned against “picking and choosing” what to notice. Mr. Catten advised regarding his legal opinion to complete normal noticing or, if the Council desired to increase noticing requirements, then it should apply to all applications.

Mayor Nordfelt pointed out some residents with concerns had not been notified, as they were located outside the 300 foot legal notice requirement area. The City Attorney answered additional questions from members of the City Council regarding noticing requirements.

Councilmember Vincent stated just seeing a notice of hearing regarding a zone change might not raise any red flags, but notices in the conditional use process would state what the proposed use would be.

Councilmember Coleman suggested the Council discuss increasing the minimum noticing requirement in the near future and he expressed the wisdom of maintaining a uniform standard. Councilmember Vincent pointed out the need to consider the cost of staff time, postage, etc.. Councilmember Coleman stated he was personally satisfied with the current requirements if agendas were also sent to the nearest neighborhood association chairperson.

City Manager, Wayne Pyle, stated he had previously distributed a memorandum regarding noticing issues to the City Council. Mayor Nordfelt requested the issue be placed on a future Study Meeting Agenda for further discussion.

The City Council will consider Application No. Z-17-2007 and proposed Ordinance No. 08-11 at the Regular Council Meeting scheduled May 20, 2008, at 6:30 P.M.

8. **RESOLUTION NO. 08-132, APPROVE AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT WITH SALT LAKE COUNTY FOR ONGOING SUPPORT OF THE UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-132 which would approve Amendment No. 2 to the Interlocal Agreement with Salt Lake County for ongoing support of the Utah Cultural Celebration Center (UCCC).

Mr. Pyle stated the amendment would authorize Salt Lake County to pay to West Valley City \$300,000.00 per year for five years, commencing in 2008, and continuing to 2012, to be used by the City for operation of the UCCC.

The City Manager indicated Salt Lake County desired to assist in the provision of cultural activities and promotion in the County through the partial funding of operations at the

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UCCC. He stated because the UCCC serviced a regional function, the County felt it was appropriate to provide the support. In return for that support, the City would agree to provide use of the facility to the County for 20 days per year during the term of the agreement.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-132 at the Regular Council Meeting scheduled May 20, 2008, at 6:30 P.M.

9. **RESOLUTION NO. 08-133, APPROVE PURCHASE OF CHAIRS FROM BERTOLINI SANCTUARY SEATING FOR USE AT THE UTAH CULTURAL CELEBRATION CENTER**

City Manager, Wayne Pyle, discussed proposed Resolution No. 08-133 which would approve purchase of chairs from Bertolini Sanctuary Seating in an amount not to exceed \$47,847.00 for use at the Utah Cultural Celebration Center (UCCC).

Mr. Pyle stated the UCCC desired to replace existing plastic chairs with upgraded chairs. He also stated this upgrade would be suitable for banquets, weddings, meetings, upscale functions and had a larger seat structure to accommodate various customer seating needs. He indicated the chairs currently being used in the Great Hall were plastic indoor/outdoor use chairs. He advised the current chairs would then be used for outside events.

The City Manager reported after much research and inquiry with the State contract, several manufacturers had been reviewed. He indicated the State contract provided many medium duty chairs with a normal 16-inch seat. Some State contract providers did offer alternate styles which added significantly to the cost. He stated the UCCC staff found a manufacturer in California, the Bertolini Sanctuary Seating Company, which had sanctuary type seating with a heavy duty frame and an 18-inch seat base. He stated that chair, the “Titan LM,” met the needs of the UCCC.

City Manager, Wayne Pyle, discussed comparisons of chairs, as follows:

HON:	1081 - 16” St. Contract	\$39.21	Total: \$41,122
Bertolini:	Titan LM – 18” (+\$2,100 shipping)	\$45.49	Total: \$47,847
Virco:	8900 – 16” St. Contract	\$74.90	Total: \$75,404
Mity Lite:	Deluxe Host 400 – 16” St. Contract	\$76.31	Total: \$77,069

Mr. Pyle reported Bertolini “Titan LM” would serve the UCCC needs and would look nicer for banquets and other functions. He advised because of the heavier construction and better components, the Bertolini chair would accommodate the weight capacity and

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have the durability needed by the facility. He reported the chair also had a 20-year warranty on the frame and ten year warranty on the components.

City Manager, Wayne Pyle, further reviewed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 08-133 at the Regular Council Meeting scheduled May 20, 2008, at 6:30 P.M.

### **10. COMMUNICATIONS:**

#### **A. COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the City Council had previously received a Memorandum outlining upcoming meetings and events as follows: May 17, 2008: West Valley Walking Tour 2008 at Utah and Salt Lake Canal Trail, 8:00 A.M.; May 17, 2008: West Valley City/SelectHealth co-sponsoring Family Fitness Festival, Fitness Center at Centennial Park, 9:00 A.M. – 3:00 P.M.; May 19, 2008: Annual Police Awards Banquet, 12 Noon, UCCC; May 20, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; May 26, 2008: Memorial Day Holiday – City Hall closed; May 27, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 3, 2008: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; June 6, 2008: ChamberWest Golf Classic, West Ridge Golf Course; June 10, 2008: Council Study Meeting at UCCC, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 17, 2008: Council Study Meeting at UCCC, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 24, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; June 28, 2008: WestFest 5k Run/Walk; July 1, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 4, 2008: Independence Day Holiday – City Hall closed; July 8, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 15, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 19, 2008: West Valley Walking Tour 2008 at Lake Park Trail System, 8:00 A.M.; July 22, 2008: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; July 24, 2008: Pioneer Day Holiday – City Hall closed; August 4, 2008: Neighborhood Nights Kick Off Event, UCCC, 5:00 P.M. – 7:00 P.M.; August 5, 2008: National Night Out Block Parties, Various Locations, 6:00 P.M. – 10:00 P.M.; August 16, 2008: West Valley Walking Tour 2008 – Night Walk at West Ridge Golf Course, 10:00 P.M.; August 18, 2008: Neighborhood Nights: Family Safety Fair, Family Fitness Center, 5:00 P.M. – 7:00 P.M.; September 1, 2008: Labor Day Holiday – City Hall closed; September 20, 2008: West Valley Walking Tour 2008 at Decker Lake Trail, 8:00 A.M.; October 11, 2008: West Valley Walking Tour 2008 – Hunter Village and Sugar Plum Trails, 8:00 A.M.;

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November 22, 2008: Turkey Trot 5k Run/Walk at Centennial Park; and December 1, 2008: Walk with Santa at Centennial Park, 6:00 P.M.

Assistant City Manager, Paul Isaac, updated the City Council regarding Fiesta Boca del Rio scheduled Friday, May 16, 2008. Mr. Isaac requested that Mayor Nordfelt welcome guests at that event.

### **11. COUNCIL REPORTS:**

#### **A. COUNCILMEMBER CAROLYNN BURT – MEMORANDUM OF UNDERSTANDING WITH CEP**

Councilmember Burt inquired regarding progress of the memorandum of understanding with the Community Education Partnership (CEP). The City Manager will check the status and advise.

#### **B. COUNCILMEMBER COREY RUSHTON – KENNECOTT FUNCTION AND SAFETY ISSUES**

Councilmember Rushton stated he had recently attended a Kennecott function where safety issues had been discussed, and he expressed the desire discuss this issue further at a future Study Meeting.

#### **C. COUNCILMEMBER JOEL COLEMAN – WEST VALLEY EDUCATION COMMITTEE UPDATE**

Councilmember Coleman stated an update from the West Valley Education Committee had been scheduled for the Study Meeting the following week.

#### **D. COUNCILMEMBER RUSS BROOKS – TELEPHONE CALLS REGARDING NOISE AT CENTENNIAL DURING CERTAIN EVENTS**

Councilmember Brooks stated he had received telephone calls regarding noise occurring after 10:00 P.M. at Centennial Park during the recent Cinco de Mayo event. City Manager, Wayne Pyle, advised he had already discussed the issue with the Parks and Recreation Director regarding correction of the problem.

#### **E. MAYOR DENNIS NORDFELT – FCC REQUEST TO NOTIFY RESIDENTS OF CHANGES TO HD FORMAT FOR TELEVISION; ANNUAL WATER SUPPLY MEETING; AND MEETING WITH WOODBURY FAMILY REGARDING GRANGER PARK**

Mayor Nordfelt stated the FCC had recently requested West Valley City's involvement in notification of its residents regarding upcoming changes to the HD format for television. Councilmember Vincent stated Comcast and Qwest had expressed concern regarding future bandwidth being able to handle the switch in the year 2009. Upon discussion, the City Council concurred regarding not desiring to become involved in this issue.

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Mayor Nordfelt advised regarding an annual water supply meeting scheduled the following morning.

Mayor Nordfelt discussed a recent meeting with the Woodbury family in response to Granite School District's offer to purchase Granger Park.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, MAY 13, 2008, WAS ADJOURNED AT 6:32 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, May 13, 2008.

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Sheri McKendrick, MMC  
City Recorder

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